

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIRIACO PUCILLO,)	
)	
Plaintiff,)	
)	
vs)	CASE NO. 03-CV-12359 MLW
)	
METSO PAPER, INC., and)	
VALMET CONVERTING, INC.,)	
)	
Defendants.)	
_____)	

COPY

DEPOSITION

OF

RONALD DEAN PURCELL

Taken by Plaintiff
Charlotte, North Carolina
February 8, 2005

Reported by: Colleen J. Cain, CSR

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1 Q. And then Valmet Converting was, in turn,
2 purchased by Bobst Group?

3 A. Right.

4 Q. Did your positions change as a result of
5 those successive transfers?

6 A. No.

7 Q. What is your current position at Bobst
8 Group?

9 A. Senior field service technician.

10 Q. For how long have you been senior field
11 service technician?

12 A. For one year.

13 Q. What were you prior to that position?

14 A. The job has remained the same. The name
15 has changed. So before that, we were called
16 "customer engineers."

17 Q. Did the name change with the change from
18 Valmet to Bobst?

19 A. Yes.

20 Q. Was the name change a result of the
21 change from Valmet to Bobst?

22 A. Yes.

23 Q. And what did you say it was at Valmet?
24 Customer --

25 A. Maybe they didn't call us customer

1 engineers. They called us field service
2 engineers.

3 Q. So instead of a field service
4 technician, you were a field service engineer?

5 A. Yeah.

6 Q. Did your job description change in any
7 way?

8 A. No.

9 Q. Can you please tell me, what does --
10 strike that. For how long were you a field
11 service engineer?

12 A. Since 1988, when I joined Atlas.

13 Q. Can you please tell me, sir, what a
14 field service engineer does.

15 A. We are responsible for installation,
16 commissioning, operator training, maintenance
17 training, and also the field service and repair
18 of Atlas machines.

19 Q. Is that a full-time position?

20 A. Yes.

21 Q. And what training did you receive from
22 Atlas with respect to those job duties?

23 A. I went to -- when I first started in
24 1988, I went to England, where our factory is,
25 and received some training on our machines there.

1 they already have machines, so they already know
2 about running a slitter. They just need to know
3 the specifics of our machine.

4 Q. What about training with respect to the
5 maintenance personnel?

6 A. We do a -- it depends on the location
7 and what the customer wants. But normally, we do
8 an overview of the machine, basically how the
9 machine works. We point out any hardware,
10 software, anything else that is used on the
11 machine, and do brief training -- not really
12 training. We just give a brief overview on
13 components that we buy for the machines, PLCs,
14 PCs, drives, anything else that's used in the
15 machine.

16 Q. When you say training, this is with
17 respect to components that you buy for the
18 machine? Is that how you said it?

19 A. Right.

20 Q. And that would include drives?

21 A. It would include drives, yes.

22 Q. And when you're referring to the
23 maintenance, is this more along the lines of
24 preventive maintenance?

25 A. We explain the preventative maintenance,

1 and we also go over routine maintenance, things
2 they should look for, things that our experience
3 tells us they're going to have the most problems
4 with, things that they just need to be aware of.

5 Q. Are they given any training with respect
6 to repairing any of those component parts?

7 A. No. We don't do any training as far as
8 repairing any components on the machine.

9 Q. Are they given any instructions with
10 respect to what to do should one of those
11 component parts fail?

12 A. Yes.

13 Q. What are their instructions?

14 A. It depends on the component. Normally,
15 if it's a component that we have bought, a drive,
16 a PLC, a PC, or something like that, we just
17 explain to them how to remove the one that is
18 defective and how to install the new one.

19 Q. And the defective one would be returned
20 to you?

21 A. Could be, but not necessarily.

22 Q. We're going to go into much more detail
23 further into this deposition with respect to the
24 specific drives. I'm just trying to get a
25 general understanding as to what your position is

1 within Atlas, and then Valmet, and then Bobst.

2 A. Okay.

3 Q. Can you just tell me, in general, what
4 type of a business is Bobst?

5 A. I don't know that I can -- I don't know
6 that I'm qualified to even tell you what kind of
7 business Bobst is. I know what our division of
8 Bobst is.

9 Q. Okay, why don't you explain to me what
10 your division of Bobst is.

11 A. We are called the flexible materials
12 division, which involves slitting and rewinding
13 equipment, printing presses, and I think that's
14 it. Slitting and rewinding equipment and
15 printing presses.

16 Q. And is that essentially the same
17 business that you were doing when it was Valmet?

18 A. Yes.

19 Q. And prior to that with Atlas?

20 A. Prior to that with Atlas, it was only
21 slitting and rewinding equipment. It was only
22 after the Valmet takeover that we got involved
23 with the printing presses division.

24 Q. Is it fair to say that the printing
25 press division has absolutely nothing to do with

1 the Proma facility in Franklin, Massachusetts?

2 A. Has nothing to do with Proma.

3 Q. That's good. Approximately how many
4 slitting and rewinding pieces of equipment are
5 there that are handled by Bobst?

6 A. In the world?

7 Q. No, that's a bad question. All right.
8 I'm just trying to get -- I've never been to the
9 Bobst facility. Can you describe for me the
10 physical location here in North Carolina, what
11 the facility is in North Carolina.

12 A. We are a sales and service office.

13 Q. Is it a plant or is it more of an office
14 facility?

15 A. No, it's just an office. No shop, no
16 warehouse.

17 Q. So you don't actually have Atlas
18 slitters there?

19 A. No.

20 Q. And what function does Bobst serve with
21 respect to the sale of the Atlas slitters?

22 A. We have a sales force, guys that are
23 scattered over the country, and into Mexico.

24 Q. Before I go any further, just so I have
25 the terminology correct, are they still referred

1 to as Atlas slitters even though it's now Bobst?

2 A. Yes.

3 Q. Am I confusing you if I say Atlas
4 slitter and I'm talking about Bobst?

5 A. No, because I have always referred to
6 our machines as Atlas slitters.

7 Q. If I were to buy one myself today, would
8 it say Atlas on it anyplace?

9 A. Yes.

10 Q. So if I call it an Atlas slitter, I'm
11 not just talking about when Atlas produced it;
12 I'm using it in a general sense.

13 A. Right.

14 Q. If by some chance I need to specifically
15 address the period of time from 1993 to 2000 when
16 it was the relevant period for Atlas, I will let
17 you know that.

18 A. Okay. It's confusing for all of us.

19 Q. You don't even know. So the Bobst
20 facility in North Carolina is a sales and service
21 office, correct?

22 A. Correct.

23 Q. How does that work? Do you get orders
24 from customers for Atlas slitters?

25 A. The orders for Atlas slitters in Canada,

1 United States, and Mexico come through the
2 Charlotte office.

3 Q. Can you give me a ballpark idea, like
4 what kind of volume we're talking about, with
5 Atlas slitters on a yearly basis?

6 A. I have no idea. I don't know.

7 Q. It's not exactly a wristwatch. You're
8 not selling millions of them, right?

9 A. No.

10 Q. It's a fairly expensive piece of
11 equipment?

12 A. Fairly expensive.

13 Q. And it's a pretty narrow function; is
14 that fair to say?

15 A. Yes.

16 Q. So is it fair to say there are not a
17 million of them in the United States?

18 A. There are not a million of them in the
19 United States.

20 Q. Can you give me any idea how many there
21 are in the United States?

22 A. It would be just a guess.

23 Q. I'll take whatever ballpark figure, and
24 I will take it as your best estimate.

25 A. A hundred.

1 Q. Of those hundred in the United States,
2 approximately, is the Charlotte, North Carolina,
3 office responsible for servicing all of those
4 machines?

5 A. Yes.

6 Q. There aren't any other facilities in the
7 United States that also service Atlas slitters?

8 A. No.

9 Q. So if I had an Atlas slitter at my house
10 and it had a problem, I would have to call you?

11 A. You wouldn't have to, but you could.

12 Q. Right. But if I wanted to call an Atlas
13 serviceman, that would be your facility?

14 A. Yes.

15 Q. Can you give me some idea, like what is
16 the life of an Atlas slitter? Are these machines
17 that last forever and ever and ever, or do they
18 die?

19 A. We have some machines that were built in
20 19 -- the late '70s, that are still operating.
21 The company has only been in existence since the
22 late '70s, Atlas.

23 Q. Does Bobst have any type of catalog?

24 A. Yes.

25 Q. Is that something that customers would

1 topic of recordkeeping I'm talking about? Would
2 that be of some help to you?

3 A. That would be helpful, yes.

4 Q. For example, do you maintain records by
5 model number or by customer?

6 A. Most records are by customer number, or
7 by customer.

8 Q. So if, for example, I wanted everybody
9 that had the Atlas slitter 1250R, you wouldn't
10 have a file that names all your customers that
11 have that particular piece of equipment?

12 A. In England, there is a database that you
13 can search and sort by customer number, customer
14 name, machine model number, like that.

15 Q. What about serial numbers?

16 A. Our serial number is also the contract
17 number, so yes.

18 Q. So there's a database in England that I
19 could run a serial number, or you could run a
20 serial number, and tell me where all of those
21 particular parts are?

22 MR. KELLEHER: Parts or machines?

23 MS. COUNIHAN: Let's talk about machines
24 first.

25 A. There will only be one serial number.

1 Each serial number is unique.

2 Q. Unique to that piece of equipment?

3 A. Yes.

4 Q. So if I were to give you a serial
5 number, you could run it through a computer and
6 find out where that piece of equipment is?

7 A. Yes.

8 Q. And what about with the component parts
9 of the machine, do each of those have a serial
10 number?

11 A. Some do, some don't.

12 Q. And when you were discussing earlier
13 component parts that were purchased from other
14 sources, would those component parts serial
15 numbers be recorded anywhere?

16 A. I don't know.

17 Q. Does anyone at Bobst have it as their
18 job responsibility to record serial numbers of
19 parts purchased from outside vendors?

20 A. I don't know.

21 Q. Do you know anyone at Bobst who would
22 know the answer to that question?

23 A. Possibly Rick Howe. I don't know. I
24 don't do spare parts.

25 Q. When you say you don't do spare parts,

1 you mean you don't order them?

2 A. No.

3 Q. Your function would simply be servicing
4 with them?

5 A. Yes.

6 Q. So if somebody needed a spare part, you
7 would get the spare part and put it in, or do
8 whatever needed to be done with the spare part?

9 A. I don't get the spare part. If they had
10 the spare part on site and they called me, I
11 might put it in.

12 Q. But Rick Howe would be more the person I
13 should talk to about the process of ordering that
14 spare part?

15 A. Exactly.

16 Q. How many employees are there at the
17 Bobst facility today?

18 A. Bobst Charlotte?

19 Q. Bobst Charlotte, yes. I'm sorry.

20 A. Let me do a quick count. Twelve.

21 Q. How many other field service technicians
22 are there other than yourself?

23 A. Six.

24 Q. Who is responsible for ordering
25 component parts?

1 A. We have -- in that office, there are
2 probably four spares guys. I'm not sure what
3 they call them. They're the guys who actually
4 take the orders from the customers.

5 Q. Would they order new equipment as well
6 as additional parts?

7 A. They only handle spare parts.

8 Q. And are you familiar with the
9 recordkeeping process they would use in order to
10 order a spare part?

11 A. Not at all.

12 Q. Is one of these four spares guys Rick
13 Howe?

14 A. No.

15 Q. What position does Rick Howe hold?

16 A. (Witness reviewed business card)
17 Customer service manager.

18 Q. Okay, we have Rick Howe's card. Who are
19 the four spares guys?

20 A. By name?

21 Q. Yes.

22 A. (There was no response.)

23 Q. If you know.

24 A. Jeff Neeley, K.D. Arnold, Richard
25 Hartsell, and Sam Redden, R-e-d-d-e-n.

1 Q. Is Jeff Neeley the senior most
2 Bobst/Atlas/Valmet employee of those four?

3 A. Of those four, yes.

4 Q. Does Bobst distribute or sell -- strike
5 that. Does Bobst perform sales or service for
6 any other slitters other than Atlas slitters?

7 A. No.

8 Q. And you said there's approximately 20
9 different model numbers, models of slitters?

10 A. That's a very approximate number.

11 Q. Is that roughly the same as it has been
12 for the past ten years or so?

13 A. Probably. Some models come and some
14 models go.

15 Q. But there hadn't been a significant
16 increase or decrease in the number of models?

17 A. I don't think so.

18 Q. Am I correct that Proma facilities in
19 Franklin, Massachusetts -- well, actually in
20 Framingham at the time -- purchased an Atlas
21 slitter?

22 A. Yes.

23 Q. You're generally aware that they have an
24 Atlas slitter, correct?

25 A. Yes.

1 Q. And am I correct that that was an Atlas
2 model CSE1250R?

3 A. Yes.

4 Q. According to documents that we have
5 received, that has an Atlas contract number of
6 92036; is that correct?

7 A. Yes.

8 Q. And that's the serial number, correct?

9 A. That's the serial number and the
10 contract number.

11 Q. So that number is unique to that --

12 A. Yes.

13 Q. -- piece of equipment; is that correct?

14 A. Yes.

15 Q. That's one of those times you have to
16 wait for me to finish before you answer. I know
17 you know the answer, but you still have to wait.

18 When did Proma purchase that piece of
19 equipment?

20 A. I have no idea.

21 Q. Were you involved with that transaction
22 to purchase that?

23 A. No.

24 Q. Do you know anyone who is currently
25 employed by Bobst that was involved with that

1 also driven by, on that machine, a pair of
2 motors. So the material is driven onto the core
3 by the red rubber rolls we call pull rolls, and
4 the tension is taken up through the center drive
5 of the two rewind motors.

6 Q. And the rewind arms hold cores, correct?

7 A. Correct.

8 Q. How many cores can the Atlas slitter
9 CSE1250R hold?

10 A. It varies with machine.

11 Q. That particular serial number, 92036,
12 how many can that particular piece of equipment
13 hold?

14 A. The best I remember, five.

15 Q. I'm just going to show you something and
16 ask you if you can identify that.

17 A. Yes, I can identify that.

18 Q. What is that?

19 A. That is the operating manual for the
20 Atlas model CSE1250R, contract number 92036.

21 Q. Is there a different operating guide for
22 every piece of equipment?

23 A. Yes.

24 Q. So if I were to look at an operating
25 guide for this exact same model, but a different

1 serial number, it might be different?

2 A. It might be different.

3 Q. So these are produced specifically for a
4 piece of equipment?

5 A. Machine-specific, yes.

6 Q. And who produces this document?

7 A. I don't know.

8 Q. Do you know when this would be produced
9 with respect to the purchase of a piece of
10 equipment?

11 A. Generally parts of it are produced
12 during the time the machine is being built. And
13 then there are parts of it that are not finished
14 until the machine is finished.

15 MS. COUNIHAN: Can we mark this, please.
16 (Plaintiff's Exhibit Number 2 was marked
17 for identification.)

18 BY MS. COUNIHAN:

19 Q. I believe there is a diagram in here.
20 Yes, this is what I'm looking for (indicating).

21 I'd like to show you a diagram which,
22 for the record, is Exhibit Number 2, and it has a
23 page number that my office has put on it,
24 PUC 0309. Why don't you take a look at that for
25 a minute.

1 or speed?

2 A. I don't know the specifics. There are
3 some modifications that are done to the drive,
4 but I don't know the specifics.

5 Q. Without going into the specifics
6 obviously, where do you get the information that
7 there are modifications done to the drive?

8 A. From England.

9 Q. And can you describe for me how those
10 modifications are made?

11 A. I don't know. I've never modified one
12 myself. I don't know.

13 Q. Who modifies them?

14 A. I don't know.

15 Q. Are they modified before they get to
16 Proma?

17 A. They would be modified before Proma,
18 yes.

19 Q. Are they modified at the
20 Bobst/Valmet/Atlas facility in North Carolina?

21 A. No.

22 Q. Are you the person that would be
23 responsible to order the board with the
24 modification?

25 A. No.

1 Q. Who from -- who would be that person?

2 A. I don't know.

3 Q. Do you know what the nature of the
4 modifications is with respect to the Proma
5 application?

6 A. No.

7 Q. Do you know who would know?

8 A. Someone in the engineering department in
9 Atlas UK.

10 Q. Has Atlas UK been the party that
11 performed the modifications from 1993 up until
12 today?

13 A. I don't know if we, being Atlas,
14 performed the modifications or if the
15 modifications are done by Infranor before we
16 receive the drive. I don't know.

17 Q. So in very simple terms, if Proma needs
18 a board, they contact you, correct?

19 A. They contact our office.

20 Q. Well, yeah, not you specifically, but
21 Atlas/Valmet/Bobst in North Carolina would get
22 the call?

23 A. Correct.

24 Q. And then what would Atlas/Valmet/Bobst
25 do?

1 A. I don't know the specifics.

2 Q. Is this Rick Howe's territory or area?

3 A. That's his area of expertise.

4 Q. Are there different model numbers for
5 the Infranor boards?

6 A. Yes.

7 Q. How many different model numbers are
8 there for the Infranor boards that would be used
9 in the model number or serial number 92036
10 splitter?

11 A. To my knowledge, only one.

12 Q. Is that the SMVE2420M59?

13 A. Yes.

14 Q. And did that replace the SMVE2420M55?

15 A. Yes.

16 Q. Do you know when that transition or
17 change took place?

18 A. I don't know.

19 Q. Do you know whether it was prior to
20 2000?

21 A. I don't know.

22 Q. We're going to come to that in a second.
23 What is the difference between the M59 and the
24 M55, without going through all those other
25 numbers?

1 A. As far as I'm aware, the difference
2 between the M55 and the M59 is state-of-the-art
3 change in components. They changed from what we
4 call discrete, meaning resistors with little
5 wires on the end that plug through holes in the
6 printed circuit boards, to what is called surface
7 mount technology, where the resistors are very
8 small and they soldered directly on top of the
9 board. There are no holes passing through the
10 board. As far as I know, that's the only
11 difference between the two drives.

12 MS. COUNIHAN: Those documents that I
13 gave you this morning that I said were copies, do
14 you have that package handy?

15 MR. KELLEHER: Yes.

16 BY MS. COUNIHAN:

17 Q. While I'm looking through this, let me
18 ask you this. Once the transition went from the
19 M55's to M59's, were the M55's discontinued?

20 A. To my knowledge, yes.

21 Q. So if you were to see that a purchase
22 was made of an M59, you could assume that at
23 least as of that date they had been switched over
24 to M59's, correct?

25 A. You could assume that, yes.

1 Q. I'm going to show you a document -- can
2 you just identify that document for the record?

3 A. (Witness reviewed document.)

4 It looks like some sort of an order
5 document.

6 Q. This doesn't look like anything you've
7 ever seen before?

8 A. I don't do spare parts, so I don't know
9 what their screens and forms look like.

10 Q. Fair enough. I'll ask Mr. Howe. But is
11 it fair to say that at the top it says "Atlas
12 Group Americas"?

13 A. Yes.

14 Q. And it appears to be a repair of a
15 242M059, correct?

16 A. Yes.

17 Q. That would be the part number?

18 A. That's what it looks like, yes.

19 Q. You agree that's what it says, right?

20 A. Yes.

21 Q. I'm not going to ask you if there
22 actually was a repair done, because that's not
23 particularly relevant. And this appears to have
24 dates in 1995; is that correct?

25 A. Correct.

1 Q. Is it fair to say, then, that as of
2 1995, Atlas was using or -- strike that. As of
3 1995, Proma had the 242M059 drives?

4 A. Yes.

5 Q. So if they did --

6 MR. KELLEHER: You're not saying
7 exclusively?

8 MS. COUNIHAN: No, no. Well, that was
9 my next question.

10 BY MS. COUNIHAN:

11 Q. When the M59's were put into use, were
12 the M55's removed?

13 A. No.

14 Q. So if you still had an M55 in your piece
15 of equipment, that would continue until the next
16 time it was replaced, at which time it would be
17 replaced by an M59?

18 A. Yes.

19 Q. Am I correct that you at some times
20 throughout your employment with
21 Atlas/Valmet/Bobst have had an occasion to visit
22 the Proma/Van Leer facility?

23 A. Yes.

24 Q. And on any of those occasions, do you
25 recall seeing an M55 drive?

1 ultimate consumer, or the customer? Excuse me.

2 A. It depends on if the drive requires the
3 modification, like we talked about earlier. Some
4 require it and some don't.

5 Q. Who has that information as to which
6 machines require the modification and which
7 don't?

8 A. Engineering in the UK.

9 Q. And who from North Carolina communicates
10 with engineering in the UK with respect to that?

11 A. Probably myself. The parts guys may on
12 occasion. The other field service guys.

13 Q. I guess what I'm trying to figure out
14 is, for all of the different customers in the
15 United States that have the Infranor drive boards
16 that go through Atlas/Valmet/Bobst in order to
17 get replacement boards, someone needs to have the
18 information relative to their specific
19 application so they know how to set those boards,
20 correct?

21 A. Correct.

22 Q. And who has that information?

23 A. I don't know.

24 Q. Is it fair to say that, for example,
25 Proma wouldn't have that information?

1 A. Proma would probably not know those
2 specifics.

3 Q. Does anyone at Atlas/Valmet/Bobst in
4 North Carolina know those specifics?

5 A. All of the Atlas technicians would be
6 able to look at a set of drawings and tell you
7 whether it is a torque-control or a speed-control
8 drive.

9 Q. And who has custody of those drawings?

10 A. We have copies in Charlotte of most --
11 the drawings -- the electrical schematics for
12 most machines in the U.S.

13 Q. And are they filed by customer?

14 A. No, they're filed -- we keep them in
15 serial number, contract order number.

16 Q. Is there a physical file for contract
17 number 92036?

18 A. If we have a schematic, it's in a
19 notebook. Because the drawings generally --
20 because we get them from England, they're on
21 A4-sized paper, which is slightly different from
22 eight-and-a-half-by-eleven. So we have a
23 bookcase full of notebooks that have electrical
24 schematics for machines we have in the U.S.

25 Q. So getting back to the process by which

1 Proma would call to say "I need a new board."

2 Would you refer to your schematics?

3 A. I wouldn't, because they wouldn't call
4 me for a spare part.

5 Q. Do you know whether anyone from
6 Atlas/Valmet/Bobst in the United States would
7 refer to those schematics before ordering a
8 board?

9 A. No.

10 Q. Who would set -- who would do that?

11 A. The person in the UK who receives the
12 order.

13 Q. So when you get an order, you're just a
14 conduit by which it's passed to Atlas UK?

15 A. In most circumstances, yes.

16 Q. Under what circumstances would you not
17 send that to Atlas UK?

18 A. For drives?

19 Q. Correct.

20 A. Are we talking specifically drives?

21 Q. We're talking Infranor drives.

22 A. There's not an occasion. It would
23 always go to the UK.

24 Q. What about if you had them already in
25 your inventory?

1 A. If we had them in our inventory, they
2 would be shipped to the customer.

3 Q. Who would do the modifications to the
4 board under those circumstances?

5 A. Generally -- I don't know. I don't
6 know. I don't know.

7 Q. Is there someone at Bobst today who has
8 it as their job responsibility -- strike that.
9 Because Bobst doesn't have any inventory,
10 correct?

11 A. No.

12 Q. When last were they maintained in
13 inventory? When it was Valmet?

14 A. I don't know.

15 Q. Do you have a specific memory of seeing
16 any of the boards in inventory?

17 A. Yes.

18 Q. Do you have any memory of anyone making
19 any modifications to those boards before sending
20 them out to a customer?

21 A. No.

22 Q. Have you personally ever made a
23 modification to a board before sending it to a
24 customer?

25 A. No.

1 Q. Do you know what other documents would
2 be kept in the physical file relative to each
3 particular serial number?

4 A. No.

5 MS. COUNIHAN: Can we just go off the
6 record for a second?

7 (There was a discussion off the record.)

8 BY MS. COUNIHAN:

9 Q. Is there a physical file called serial
10 or contract number 92036?

11 A. I don't know.

12 Q. If there was, where would it be?

13 A. I'm not sure. I don't know.

14 Q. Who would be the better person to ask
15 that?

16 A. Rick Howe.

17 Q. When Proma would call to purchase a new
18 board, it goes through Atlas UK. What about if
19 Proma sends a board down for repair, where is
20 that repair done?

21 A. I don't know.

22 Q. That's nothing you do?

23 A. It's nothing I do, no.

24 Q. Who at Bobst/Valmet/Atlas repaired
25 boards, if anyone?

1 A. No one.

2 Q. It would get sent to the UK?

3 A. I don't know.

4 Q. So you don't know what happens to a
5 board that's sent down here for repair?

6 A. No.

7 Q. What about diagnostics; is that
8 something that you would do down here, or no?

9 A. No.

10 Q. Are any records kept of boards sent back
11 down here for repairs?

12 A. I don't know.

13 Q. Are you familiar at all with the process
14 that a board would be sent down here for a
15 repair?

16 A. No.

17 Q. In general, do you understand that some
18 repairs would be done by the Proma employees at
19 the Proma facility?

20 A. I don't know. I don't know if they do
21 some of their own repairs or not.

22 Q. Did you provide any training to any
23 Proma employees with respect to repairing the
24 Infranor drives?

25 A. No.

1 A. No.

2 Q. What are those switches?

3 A. The switch on the daughter board?

4 Q. Correct.

5 A. The switch on the daughter board selects
6 whether you are tachometer feedback or armature
7 feedback for speed detection.

8 Q. And that's armature voltage feedback?

9 A. Armature voltage feedback.

10 Q. What is the difference between
11 tachometer feedback and armature --

12 A. A tachometer is an electronic device
13 that is physically attached to the motor so that
14 you get a signal from this tachometer whose
15 amplitude varies depending on the speed of the
16 motor, so that you get actual speed feedback to
17 the drive.

18 The alternative to that is armature
19 voltage feedback, because the greater the
20 armature voltage, in theory, the greater the
21 speed of the motor.

22 Q. Are you finished? I didn't want to
23 interrupt you.

24 A. Yes.

25 Q. Are there certain applications of the

1 Atlas slitter that would use the tachometer
2 feedback?

3 A. It's possible, but I don't know of any.

4 Q. Are there certain applications of the
5 Atlas slitter, for use of the Atlas slitter, that
6 would use the armature voltage feedback?

7 A. That's the one we generally use for
8 rewind arms.

9 Q. If you generally use that one for the
10 rewind arms, why is there an option for the
11 tachometer feedback?

12 A. Because it's -- well, maybe I spoke
13 incorrectly. There are some applications where
14 we do use tachometers on rewind arms.

15 Q. Are there any applications at the Proma
16 facility or Van Leer that would use the
17 tachometer feedback?

18 A. On the Infranor drives we're discussing,
19 no.

20 Q. Am I correct those are switches that are
21 spring-loaded wires? Is that a simple way to
22 describe them?

23 A. Yes.

24 Q. Who sets those switches?

25 A. I don't know.

1 Q. Did anyone at Proma make the
2 determination as to which position the switch
3 should be set at?

4 MR. KELLEHER: Objection.

5 A. No idea.

6 Q. You weren't involved with that process
7 at all?

8 A. No.

9 Q. Is it fair to say that that decision or
10 determination would have been made at the time of
11 the original purchase of the machine, initially?

12 MR. KELLEHER: Objection.

13 A. Yes.

14 Q. Is the decision as to which position to
15 put the switch in determined by the application
16 for that particular piece of equipment?

17 A. Yes.

18 Q. So if you assume that the application
19 for Proma or Van Leer has remained the same, that
20 position would have stayed the same?

21 A. Yes.

22 Q. Do you know of any time during the
23 course of your employment with Atlas, Valmet, or
24 Bobst, that that position has changed at the
25 Proma facility?

1 MR. KELLEHER: Objection.

2 A. I'm sorry. Repeat the question again.

3 Q. For the period of time that you've been
4 employed as a field service engineer and/or
5 technician, do you know of any time that Proma
6 would have changed their application so that it
7 would require they use a different position on
8 the daughter board switch?

9 A. No.

10 Q. If a board is sent down to
11 Atlas/Valmet/Bobst for repair, would the switches
12 be set again before it was sent back to Proma?

13 MR. KELLEHER: Objection.

14 A. I don't know.

15 Q. That's something that would be done by
16 whoever did the repair?

17 A. I would assume.

18 Q. But you would assume that when the board
19 was returned to Proma, the switches would be set?

20 MR. KELLEHER: Objection.

21 A. I would assume.

22 Q. Do you have any reason to believe that
23 when the board was returned to Proma, the
24 switches would not be set?

25 A. I'm sorry. Say that again.

1 Q. Do you have any reason to believe that
2 when repaired boards are returned to Proma, the
3 switches would not be set?

4 A. No.

5 Q. Is it fair, though, to say that in some
6 circumstances -- strike that. We'll come to that
7 in a minute. If there was a repair that had
8 involved the switch, how would that be recorded
9 in any of the documents, if you know?

10 A. I don't know.

11 Q. Are you familiar with the types of
12 problems that customers have with the boards,
13 where they would be required to send them back to
14 you?

15 A. Somewhat.

16 Q. For example, if you were to receive a
17 report that there was a questionable board to be
18 tested and calibrated, are you familiar with what
19 that would entail?

20 A. Not specifically.

21 Q. Is there someone at Atlas/Valmet/Bobst
22 that would be familiar with what that would
23 entail?

24 A. UK.

25 Q. It would be over in the UK?

1 Q. I'm going to show you documents and just
2 ask you if you could just take a look at those
3 documents.

4 A. Okay.

5 Q. Is it fair to say that these documents
6 relate or pertain to a service visit by someone
7 from Atlas/Valmet to Van Leer/Proma?

8 A. Yes.

9 Q. And am I correct that the second page
10 indicates the Valmet travel expense report was
11 for John Brook?

12 A. Yes.

13 Q. Is it fair to say then that he was the
14 technician that came on this trip?

15 A. Yes.

16 Q. And on the first page, it indicates a
17 service date of August 2nd to 4th, 2000; is that
18 correct?

19 A. Yes.

20 Q. Is that consistent with the expense
21 report prepared by or submitted by John Brook?

22 A. Yes.

23 Q. Can you tell me, is there a specific
24 checklist of items that you would inspect on a
25 visit such as a service call like this?

1 A. No.

2 Q. There's no criteria that you would use?

3 A. No.

4 Q. You would simply go try to figure out
5 what the problem was that the customer couldn't
6 figure out on their own?

7 A. Yes.

8 Q. In this particular occasion, on the
9 third page, the Purchase Requisition indicates
10 services to diagnose and correct problems with
11 dancer/tension control on slitter; is that
12 correct?

13 A. Yes.

14 Q. What is the dancer/tension control?

15 A. Do you have that drawing? It would be
16 easier to show you, if we can refer to that.

17 (Document was tendered to witness)

18 There is this roll here that's indicated
19 with the -- I think that's a number 3.

20 Q. Do you want to just circle the number 3
21 there so that when we look at this document two
22 years from now we know what we're talking about?

23 A. (The witness complied.)

24 Q. Okay.

25 A. This is what is called a dancer

1 (indicating). It swings back and forth as the
2 machine speeds up and slows down. If a supply
3 roll is out of round, the dancer will move to
4 compensate for this movement of the web going
5 back and forth. This then has feedback into a
6 circuit, could be software, could be a circuit
7 card on this machine, I don't remember. Or it
8 could be done in the drive, in the eurytherm
9 drive. That controls a motor back here
10 (indicating) to keep tension in the web as it's
11 coming through the machine.

12 Q. When you say "back here," for the
13 record, you're talking about the unwind roll?

14 A. The unwind stand, yes.

15 Q. Does this problem in any way pertain to
16 the Infranor drive boards?

17 A. Not in any way.

18 Q. As part of a service call such as this,
19 would a routine inspection be done of the entire
20 machine?

21 A. It's possible.

22 Q. If a routine inspection had been done,
23 would there have been any notes taken?

24 A. It's possible.

25 Q. If there were notes taken, where would

1 those be found?

2 A. In the folder (indicating).

3 Q. In John Brook's folder?

4 A. Yes.

5 Q. Does each technician maintain its own
6 folder?

7 A. No.

8 Q. Why does John Brook have his own folder?

9 A. It's not -- technically it's not John
10 Brook's folder, but it seems most of the
11 information in there was put in there by John
12 Brook.

13 Q. Where was that folder found?

14 A. In our office in Charlotte.

15 Q. Was it filed under anything in
16 particular?

17 A. It was filed under -- I think it
18 actually says "Van Leer."

19 Q. The red tab says "Van Leer"?

20 A. It says "Van Leer Metallized Products."

21 Q. Are there folders for each of the
22 customers that Atlas/Valmet/Bobst services?

23 A. Not necessarily.

24 Q. If an inspection had been done that
25 revealed that the switch on the daughter card was

1 unhooked, would that be noted somewhere?

2 A. I can't say for sure.

3 Q. If you were to be doing an inspection of
4 the piece of equipment at the Proma facility and
5 you looked at the drive board, would you know
6 that the switch was unhooked?

7 A. Yes.

8 Q. By looking at it?

9 A. Yes.

10 Q. And would you correct it?

11 A. Yes.

12 MR. KELLEHER: Objection.

13 BY MS. COUNIHAN:

14 Q. I'm just talking in general. I guess
15 what my question is is, are the
16 Atlas/Valmet/Bobst technicians trained to
17 recognize when that switch is not in its proper
18 position?

19 A. I can't say.

20 Q. How did you learn of the proper position
21 of that switch?

22 A. It just seems like something I've always
23 known. I don't know when I picked up that
24 information.

25 Q. Is it fair to say that you had that

1 information prior to the date of Mr. Pucillo's
2 accident?

3 A. Yes.

4 Q. And you don't have any memory of where
5 you learned that?

6 A. No.

7 Q. Have you ever discussed it with any of
8 the other technicians at Atlas/Valmet/Bobst?

9 A. Discussed what?

10 Q. The proper position of the switch on the
11 Proma machines.

12 A. Possibly.

13 Q. Prior to the accident, do you recall?

14 A. I don't recall specifically, no.

15 Q. If the other technicians -- well, strike
16 that. We know at least you have gone up to do
17 service calls at Proma/Van Leer, and Mr. Brook,
18 correct?

19 A. Correct.

20 Q. And we don't know whether or not any of
21 the other technicians have, correct?

22 A. I have no direct knowledge of who has
23 been there, no.

24 Q. Do you know whether Mr. Brook knew of
25 the correct setting for the switch?

1 A. I don't know.

2 Q. I don't know if I don't ask you. On
3 these service calls, are you expected to do an
4 inspection of the machine?

5 A. No.

6 Q. There's no protocol or instructions that
7 Atlas/Valmet or Bobst gives to you with respect
8 to what should be done on a service call?

9 A. No.

10 Q. There's no written manuals for you to
11 follow as far as what should be done on a service
12 call?

13 A. Not to my knowledge.

14 MS. COUNIHAN: Can I have the John Brook
15 file?

16 MR. KELLEHER: I'll just note it may not
17 be John Brook's file.

18 MS. COUNIHAN: I'll just call it the
19 brown folder for the time being.

20 THE WITNESS: Let's call it the brown
21 folder.

22 BY MS. COUNIHAN:

23 Q. While I'm looking for this, why don't I
24 ask you another general question. Is there any
25 reference in the operating guide as to the proper

1 if you just -- let's just take out that last page
2 since it does not pertain to this case at all.
3 We will remove that one.

4 Am I correct then, for the record, that
5 the first three pages relate to a service call in
6 September of 2000?

7 A. Yes.

8 Q. And am I correct that it appears that
9 John Brook did this service call, as well?

10 A. Yes.

11 Q. And can you tell me, please, on the
12 second page, what the service call was for?

13 A. Service call to troubleshoot and
14 calibrate drive system on Atlas slitter.

15 Q. Can you tell me what that means?

16 A. No.

17 Q. Does it have anything to do with the
18 Infranor drive boards?

19 A. Possibly.

20 Q. What other possible explanations are
21 there for what that particular repair would
22 entail?

23 A. It could be the unwind drive system,
24 like we were discussing earlier. It could be
25 main drive drive system like we didn't discuss

1 earlier. Or it could be rewind drive system.
2 There's not enough information here to know
3 exactly.

4 Q. Is it fair to say that we would need
5 Mr. Brook and/or his notes from his service call
6 in order to determine what drive was involved?

7 A. Yes.

8 MS. COUNIHAN: Let's just mark this so
9 we keep the service calls marked.

10 (Plaintiff's Exhibit Number 4 was marked
11 for identification.)

12 MS. COUNIHAN: For the record, Exhibit
13 Number 4 has been marked. It is, for my
14 purposes, PUC 0600, 0601, and 0595.

15 BY MS. COUNIHAN:

16 Q. When you would do a service call, would
17 there be any logs kept pertaining to that
18 particular customer?

19 A. It's possible.

20 Q. For example, if you were to go up there
21 in September of 2000, would you have access to
22 any notes from the visit the month before?

23 A. It's possible.

24 Q. How would it be possible?

25 A. If there were any notes made from the

1 previous visit.

2 Q. So if there had been notes made from the
3 previous visit, they would be found in the brown
4 folder?

5 A. During -- yeah, during that period of
6 time, yes, probably in the brown folder.

7 Q. Currently, is there a computerized
8 system?

9 A. Yes.

10 Q. More or less?

11 A. Yes.

12 Q. And what information is contained in the
13 computerized system?

14 A. Generally everything -- all the notes
15 that the service technician made on the last
16 visit, if he did a visit report.

17 Q. Is there a form called a visit report?

18 A. We all have our own version of a visit
19 report.

20 Q. Are they filed anywhere?

21 A. We have -- now, we have on our server,
22 we have just a folder called "visit reports," I
23 think. And people who actually do them can file
24 their visit reports in there. So if you're going
25 to that same customer next week, you can go back

1 and look in there and see what was done last time
2 you were there, if a visit report was done.

3 Q. Do you know whether there are any visit
4 reports for any of the visits to Proma?

5 A. Where?

6 Q. That would be my next question. Have
7 you ever seen a visit report for any of the
8 visits at Proma?

9 A. Yes.

10 Q. Where did you see those?

11 A. In the brown folder.

12 Q. But none other than what are in the
13 brown folder that has been produced here today?

14 A. Right.

15 Q. When you would go to Proma, would you do
16 a visit report while you were there, or any type
17 of report there?

18 A. It sort of depends on the circumstances.
19 It has been suggested that we do visit reports,
20 but it has never been required that we do visit
21 reports. Some customers will require one. They
22 won't pay for the visit until they get the visit
23 report.

24 Q. Do you know whether Proma is one of
25 those customers?

1 A. I don't know.

2 Q. When you're at the facility doing your
3 inspection or troubleshooting, do you leave
4 anything there with the customer as to what was
5 done?

6 A. Sometimes, but not always.

7 Q. And there's no logs kept at the pieces
8 of equipment themselves that you would enter the
9 date you were there and what was done?

10 A. No.

11 Q. Do you know what I'm talking about? I
12 know on my copy machine at my office, it has a
13 binder that comes with it. And every time they
14 come to repair it, they make a note of what they
15 did. There's nothing like that for these pieces
16 of equipment?

17 A. No.

18 Q. So if there was no report ever done or
19 no written report, you would have no way of
20 knowing what was done last time somebody was up
21 there?

22 A. No. Because sometimes, especially when
23 John and I were here together, if I were called
24 to go to a particular customer and I knew that
25 John had been there three months before, I would

1 just call him. If we weren't in the office
2 together, I would just call him and say: I'm
3 going to customer X; what happened last time you
4 were there.

5 Q. Did you ever have any of those
6 conversations with respect to the Proma facility
7 with John?

8 A. No.

9 Q. So when you went up there after this
10 accident, did you talk to John about what he had
11 done on his visits?

12 A. No.

13 Q. Have you ever had any conversation with
14 him relative to the switch on the daughter card
15 on that particular machine?

16 A. Not that I can remember.

17 Q. I'm going to show you another set of
18 documents and ask you if you can look through
19 those.

20 A. (Witness reviewed documents.)

21 Q. Am I correct that the handwritten
22 notation there indicates September 18 to 21st?

23 A. That's what it looks like, yes.

24 Q. And that the charges were actually for
25 four days?

1 A. Yes.

2 Q. So that would be consistent, 18th to the
3 21st?

4 A. Correct.

5 Q. And that was in the year 2000, correct?

6 A. Correct.

7 Q. Am I correct that this indicates that
8 John Brook did this repair, as well, or service?

9 A. That's what the handwritten note says.

10 Q. And up in the top left corner of the
11 first page, it indicates: Seller, John Brook?

12 A. Yes.

13 Q. Does that mean he did it?

14 A. I assume.

15 Q. Do you have any memory of being at the
16 Proma facility in October of 2000?

17 A. No.

18 Q. Do you charge the same rate as
19 Mr. Brook?

20 A. Yes, we all get the same rate.

21 Q. Well, I was just thinking maybe --

22 A. We don't get the same rate. The company
23 gets the same rate.

24 Q. I understand. You're billed out at the
25 same rate, correct?

1 A. Yes.

2 Q. The only reason I asked that is if you
3 were at different rates, it might be possible to
4 tell which technician was there based on the rate
5 that was paid.

6 A. No.

7 Q. And on the second page, it indicates:
8 Service call to troubleshoot drive problems on
9 Atlas slitter, correct?

10 A. Correct.

11 Q. Is it fair to say that we can't tell
12 without speaking to Mr. Brook what the drive
13 that's being referred to there is?

14 A. That's correct.

15 Q. Either by speaking to him or finding a
16 note, correct?

17 A. Correct.

18 MS. COUNIHAN: Let's mark that one as
19 Exhibit 5. And that would be, for my file, PUC
20 0594 and 0596.

21 (Plaintiff's Exhibit Number 5 was marked
22 for identification.)

23 BY MS. COUNIHAN:

24 Q. Can you take a look at that package,
25 please.

1 A. (Witness reviewed documents.)

2 Q. Is it fair to say that these two
3 documents pertain to a service visit by John
4 Brook on the Atlas slitter on November 14 to 16,
5 2001?

6 A. Yes.

7 Q. And that's contained on the first page
8 about halfway through, correct?

9 A. Yes.

10 Q. And on the second page, once again, it
11 indicates: Service call for technician to
12 troubleshoot drives on Atlas slitter, correct?

13 A. Correct.

14 Q. And without speaking to Mr. Brook or
15 reviewing a visit report, you don't know what
16 that drive pertains to, correct?

17 A. Correct.

18 Q. Do you have any memory of speaking to
19 Mr. Brook about the problems in 2000 or 2001 with
20 the drives on the Atlas slitter?

21 A. No.

22 MS. COUNIHAN: Let's mark that one as
23 Exhibit 6, and for my file, 0541 and 0542.

24 (Plaintiff's Exhibit Number 6 was marked
25 for identification.)

1 voltage feedback and the tachometer feedback, is
2 that the same as torque versus speed control?

3 A. No.

4 Q. Can you explain to me -- because I'm
5 confused as to what different settings there are,
6 I think is where my confusion is.

7 A. The difference between torque and speed
8 is either the modification or the lack of
9 modification to the drive board itself, the big
10 board.

11 Q. But not the daughter card?

12 A. But not the daughter board. The
13 selection between armature voltage feedback and
14 tachometer feedback is what is done on the
15 daughter board.

16 Q. So the torque versus speed control is
17 something that may or not be modified on the
18 board, correct?

19 A. Correct.

20 Q. Who would determine whether or not that
21 needs to be modified?

22 A. The engineer who designed the machine,
23 who determined whether he was doing speed control
24 or torque control.

25 Q. And in this case, would that have been

1 an Atlas engineer or a Van Leer engineer?

2 A. An Atlas engineer.

3 Q. Do you know who the Atlas engineer was
4 that did that?

5 A. No.

6 Q. Is it one of the Atlas engineers from
7 England?

8 A. Yes.

9 Q. Do you know whether the Atlas engineer
10 came over from England and met with the people at
11 the Massachusetts facility?

12 A. I don't know.

13 Q. Once that was established, that would
14 remain consistent or constant throughout the life
15 of that machine, correct?

16 A. Correct.

17 Q. And when Proma would purchase a new
18 board, that modification or lack of modification
19 would be done in England?

20 A. In England or Germany. I'm not sure
21 which. Infranor is a German company, so I'm not
22 sure where the modification gets done.

23 Q. But it's fair to say it's not done at
24 Proma or Van Leer?

25 A. No.

1 Q. You also talked about the switch on the
2 daughter card. Before I get to that, are there
3 any other modifications that may or may not be
4 done to the drive board before it would be sent
5 to Massachusetts?

6 A. Not that I'm aware of.

7 Q. And the daughter card has the switch.
8 We already did that. Does it require any tools
9 to set the switch?

10 A. No.

11 Q. Have there been any changes in the
12 switch from 1993 up until today?

13 A. I don't know.

14 Q. Let's do it -- have there been any
15 changes in the switch from 1993 up until the date
16 of this accident?

17 A. I don't know.

18 Q. Are you familiar with what Van Leer or
19 Proma would do with the board once it was
20 received at their facility?

21 A. No.

22 Q. Do you know of any training given to any
23 of the Van Leer or Proma employees with respect
24 to the setting of the switch?

25 A. No.

1 Q. Do you know whether there ever was any
2 training?

3 A. I don't know.

4 Q. Do you know of any training given to the
5 Van Leer or Proma employees with respect to the
6 installation or replacement of the Infranor drive
7 boards?

8 A. I don't know.

9 Q. Was there anyone at Atlas or Valmet that
10 had it as their job responsibility to train the
11 Proma employees or Van Leer employees with
12 respect to the proper installation or replacement
13 of the drive boards?

14 A. I don't know.

15 Q. Is there anyone at Bobst today that
16 could answer those questions?

17 A. Bobst USA?

18 Q. Yes.

19 A. No.

20 Q. In your occasions that you were up in
21 Franklin, or Framingham, depending on where the
22 Proma or Van Leer facility was at the time, did
23 you meet with the electricians?

24 A. Possibly. I don't remember
25 specifically.

1 Q. Did you get any sense as to their level
2 of competence with respect to the proper
3 installation or replacement of the boards?

4 MR. KELLEHER: Objection.

5 BY MS. COUNIHAN:

6 Q. I'm just asking for your personal
7 opinion.

8 A. No.

9 MR. KELLEHER: Same objection.

10 BY MS. COUNIHAN:

11 Q. Other than the switch, were there any
12 other -- strike that. I'll come back to that.
13 And you said there's nothing in any of the --
14 there's nothing in the operating guide with
15 respect to the setting of the switch, correct?

16 A. Not that I'm aware of.

17 Q. And the document that you said did
18 contain information relative to the setting of
19 the switch would be the schematics?

20 A. Electrical schematics, yes.

21 Q. In general, how would an operator of the
22 Atlas slitter know that there was a problem with
23 the drive board?

24 MR. KELLEHER: Objection.

25

1 BY MS. COUNIHAN:

2 Q. Do you understand that question?

3 A. Yeah, I understand the question. The
4 operator probably would not know that there is a
5 problem with the drive board.

6 Q. What would be the first sign that a
7 drive board had degraded to the point that it
8 needed to either be repaired or replaced?

9 A. As far as the operator is concerned, the
10 only indication he would have that would point
11 directly to a drive board would be on the
12 computer screen, on the PC screen, if that red
13 light we were talking about, the fault LED, came
14 on. That's reported back to the control system,
15 and then the control system puts an alarm message
16 out to the PC that says there's some sort of
17 drive fault.

18 Q. And that would cause the operator to
19 notify either a maintenance or an electrician?

20 MR. KELLEHER: Objection.

21 A. Yes.

22 Q. How would an electrician know whether or
23 not a drive board needs to either be replaced or
24 repaired?

25 A. Sometimes it's a guess.

1 Q. It's not like a light bulb, where it
2 just goes out and then you know you need to
3 replace it, right?

4 A. Sometimes it is, sometimes it's not.

5 Q. Does Atlas/Valmet provide any training
6 to the electricians at any of the customers'
7 facilities with respect to troubleshooting?

8 A. General troubleshooting, yes, sometimes.
9 We assume that the customer employs capable
10 people who are capable of troubleshooting. We
11 don't teach troubleshooting skills.

12 Q. And in the event that the electricians
13 are not able to correct it, that's when they
14 would either send it back to you or have you come
15 up, correct?

16 A. It could happen that way.

17 Q. What other way could it happen?

18 A. Well, normally, there's another tier of
19 support in a facility like Proma. Not everybody
20 has that extra level of support where they call
21 Greg Hagopian to come out and lend a hand.

22 MS. COUNIHAN: Off the record.

23 (There was a discussion off the record.)

24 BY MS. COUNIHAN:

25 Q. Physically, can you walk me through, how

1 do you change an Infranor drive board?

2 A. There are two circuit breakers. You
3 turn off the two circuit breakers. And then
4 generally, there is a small screw in the top of
5 the front cover and the bottom of the front
6 cover. You just loosen those two screws.
7 They're captive screws; they stay in the cover.
8 Then you just slide the drive out, and then put
9 the new drive in, in the reverse. Slide the new
10 drive in, tighten the two screws, turn the
11 circuit breakers back on.

12 Q. Does that process involve any type of
13 visual inspection of the drive board that comes
14 out?

15 A. It's possible.

16 Q. What about of the drive board that goes
17 in?

18 A. It's possible.

19 Q. Are there any written materials that
20 would indicate that that should or should not be
21 done?

22 A. Not that I'm aware of.

23 Q. In your experience with the Atlas
24 slitters, this particular 92036 at Proma, did
25 some of the drives need to be replaced or

1 repaired more often than others?

2 A. I don't know.

3 Q. And you said you don't know how long a
4 drive generally lasts, correct?

5 A. No.

6 Q. When one board needs to be replaced, you
7 don't replace all of them, correct?

8 A. No.

9 Q. Is any training given to -- was any
10 training given to Van Leer or Proma employees
11 with respect to any visual inspection that should
12 be done prior to installing a new drive?

13 A. I don't know.

14 Q. Who from Atlas or Valmet would have been
15 responsible for that type of training?

16 MR. KELLEHER: Objection.

17 A. I'm not sure. I'm not sure.

18 Q. But that's nothing that falls within
19 your job description of training operators and
20 maintenance people?

21 A. It could. Especially during this time,
22 there were, like I said earlier, people coming
23 over from the UK. So I don't know specifically
24 who did the training on that machine.

25 Q. Prior to March of 2002, with this

1 Infranor drive boards were installed, correct?

2 MR. KELLEHER: Objection.

3 A. Correct.

4 Q. I mean, if I'm wrong, that's wonderful.

5 If you could tell me a way to determine the
6 history of each particular serial number, I would
7 appreciate that.

8 A. I don't think there is a way.

9 Q. I hope Rick Howe knows a way.

10 (There was a discussion off the record.)

11 BY MS. COUNIHAN:

12 Q. What was the status of Proma's
13 investigation as to the cause of this accident
14 when you arrived, if you know?

15 A. I don't know.

16 Q. Did you have any conversations with
17 anyone there about what had been done from the
18 time of the accident up until you arrived?

19 A. I don't remember.

20 Q. Had the control boards or the Infranor
21 boards been removed prior to your arrival?

22 A. Not to my knowledge.

23 Q. Who from Proma did you work with on your
24 investigation of this accident?

25 A. I think probably Greg Hagopian and

1 possibly Dave Peavy. I don't remember exactly.

2 Q. Did you also work with Harold Isherwood?

3 A. No. I think there was a meeting
4 possibly at the end where Harold was there. But
5 I don't remember exactly.

6 Q. Did you know Mr. Isherwood from prior
7 visits at Proma?

8 A. I had met him before, yes.

9 Q. What did you do as far as your
10 investigation was concerned?

11 A. We went through a lot of reasons why
12 either the arms could lift off the drum or why
13 the rewinds could accelerate to something above
14 what you would consider a reasonable speed.

15 A lot of things were discussed and
16 eliminated as possibilities. So then we got down
17 to actually focusing on the drives, because it
18 appeared that everything external to the drives
19 was working correctly. So we focused on the
20 drives, specifically whichever arm, 2 left or
21 2 right --

22 Q. You can refer to your report if that
23 would help you. For the purposes of the record,
24 though, if you could tell me when you're reading
25 from your report versus when you're telling me

1 your independent knowledge.

2 A. Reading from my report, we focused
3 initially on the drive for controlling arm
4 2 left. That particular drive had the switch in
5 the neither position, neither armature voltage
6 feedback nor tachometer feedback.

7 Q. How does it appear when it's in neither
8 position? Hanging straight down?

9 A. No, it sort of sticks up at an angle,
10 because it has tension on it. So that when you
11 hook it, it's trying to pull up, but it can't,
12 because it's hooked under the hook. So when it's
13 not in either position, it sort of points up at
14 an angle.

15 Q. Okay.

16 A. And from there, once we found that that
17 one was incorrect, I just went through all the
18 rest of the drives and checked every daughter
19 board on every drive. And then --

20 Q. Before we get to "and then," what did
21 you find on the inspection of the other drives?

22 A. Reading from my report, 2 left, the
23 switch was in the neither position. 2 right was
24 correct. 1 left was in the wrong position. 4
25 right was in neither position. And 5 left was in

1 neither position. All the rest were correct.

2 Q. How would a switch get into the wrong
3 position?

4 MR. KELLEHER: Objection.

5 A. I don't know.

6 Q. How can a switch -- or what are the
7 possible explanations for a switch being in
8 neither position?

9 MR. KELLEHER: Objection.

10 A. Well, you could say there are several
11 possibilities for that happening. With someone
12 handling the drive, you could accidentally unclip
13 it from the hook. In shipping, being wrapped in
14 bubble wrap, the bubble wrap could put pressure
15 down on the switch and cause it to snap out of
16 the hook. I don't know how Proma stores things
17 like this in their maintenance storage, but you
18 could have one drive sitting on top of the other
19 drive, and the heat sink could actually pop it
20 loose. So there's a lot of possibilities.

21 Q. Could the vibration from the machine
22 itself cause it to unhook?

23 A. No.

24 Q. Do you know if any testing was done to
25 determine that, or is that based on your own

1 personal opinion?

2 A. Personal opinion.

3 Q. Is there any indication to the operator
4 of the machine when a switch becomes unhooked?
5 Would that cause the fault LED light to light?

6 A. No.

7 Q. Is there any indication other than the
8 fault LED light that would indicate to an
9 operator that a switch had been unhooked?

10 A. The fault LED won't indicate that the
11 switch has been unhooked.

12 Q. Is there anything that would indicate
13 that a switch was unhooked?

14 A. No.

15 Q. So there's no way of knowing if a switch
16 is unhooked other than looking at it?

17 A. To my knowledge, yes.

18 Q. Is it your understanding that the
19 switches are set in the correct position before
20 they're sent to Proma?

21 A. Yes.

22 Q. And that would be done by either
23 Atlas UK or Infranor?

24 A. Correct.

25 Q. But you don't know who does it?

1 A. I don't know who does it.

2 Q. Do you know what is done by Atlas UK or
3 Infranor to ensure that the switches don't come
4 unhooked in transit?

5 A. No.

6 Q. And there is no circumstance under which
7 Proma would change the position of that switch,
8 correct?

9 MR. KELLEHER: Objection.

10 A. There is no reason for Proma to ever
11 change that switch.

12 Q. For their application, they would keep
13 the switches in the one position B, correct?

14 A. Correct.

15 Q. Is it possible to hook that switch
16 permanently?

17 MR. KELLEHER: Objection.

18 A. It's possible.

19 Q. How would you hook it permanently?

20 MR. KELLEHER: Objection.

21 A. You could -- because it's a hook, you
22 could put the switch under it and bend the hook
23 over, or you could solder it in position.

24 Q. And in fact, according to your report,
25 the switches were soldered after the accident,

1 correct?

2 A. Correct.

3 Q. Is that something you did?

4 A. I did it, yes.

5 Q. Why did you do it?

6 MR. KELLEHER: Objection. I just object
7 to this whole line of questioning, but I'll just
8 make one objection.

9 A. I'm sorry. What was the question again?

10 Q. Why did you solder the hooks after the
11 accident?

12 A. I think we discussed it at Proma, and
13 someone at Proma suggested that we do that as a
14 permanent solution.

15 Q. And has that permanent solution been
16 done on any subsequent boards that are purchased?

17 A. Not that I know of, not that I'm aware
18 of.

19 Q. But you wouldn't have -- you're not part
20 of that process of purchasing new boards,
21 correct?

22 A. Correct.

23 Q. Does the soldering or -- strike that.
24 Does hooking the switch permanently in any way
25 compromise the operation of the machine?

1 A. No.

2 Q. Soldering the hooks, is that an
3 expensive proposition?

4 A. No.

5 Q. Is it time consuming?

6 A. No.

7 Q. Why wasn't that done prior to the
8 accident?

9 A. I don't know.

10 Q. Have you learned from any source that
11 that was discussed or contemplated prior to the
12 accident?

13 A. No.

14 Q. Do you know of any other Infranor boards
15 that are soldered or have -- strike that. Do you
16 know of any other switch on any other Infranor
17 board that was soldered prior to the accident?

18 A. No.

19 Q. It's my understanding that one of the
20 switches was found to be soldered at the time of
21 your investigation; is that correct?

22 A. I don't remember that if it was. It's
23 possible, but I don't remember that.

24 Q. Let me show you a document which has
25 been marked as Deposition Exhibit Number 4 in

1 Mr. Sereno's deposition. Have you ever seen that
2 document?

3 A. No.

4 Q. And you have no memory as you sit here
5 today of finding one of the switches soldered at
6 the time of your investigation?

7 A. I don't remember that, no.

8 Q. Well, if you don't remember it, then
9 you're not going to know if you did it, so I
10 guess I don't need to keep looking.

11 So you're not familiar in general with
12 any of the switches on the daughter cards being
13 soldered prior to March of 2002?

14 A. Not that I know of.

15 Q. Do other customers use or purchase
16 Infranor drive boards from Atlas/Valmet/Bobst
17 that have the daughter card with the switch on
18 it, as well?

19 A. Yes.

20 Q. And have any changes been made to those
21 daughter cards since the date of Mr. Pucillo's
22 accident?

23 MR. KELLEHER: Objection.

24 A. I don't know.

25 Q. Getting back to your report there, the

1 third paragraph that starts out, "The arrangement
2 and configuration of the rewind drive system," is
3 that what you were describing earlier?

4 A. Right, torque control with speed limit.

5 Q. Are those findings significant as they
6 pertain to the cause of this accident?

7 A. I don't understand.

8 Q. I think that my noneducated reading of
9 this report, I didn't understand how that
10 particular information regarding torque control
11 with speed limit pertained to your investigation
12 as to the cause of this accident.

13 A. That paragraph is more of an explanation
14 of how the machine works than relates directly to
15 the accident.

16 Q. Because you would agree that the
17 paragraph that starts, "After my arrival," when
18 you were talking about the tests to the different
19 drive boards, that pertains directly to the cause
20 of this accident, correct?

21 A. Correct.

22 Q. So the next paragraph is simply a basic
23 informational paragraph with respect to the
24 operation of the machine?

25 A. Yeah.

1 Q. And then the next paragraph indicates
2 the PLC program was verified to be outputting
3 correct values for torque and speed, correct?

4 A. Correct.

5 Q. By that, did you eliminate that as a
6 cause of this accident?

7 A. Yes.

8 Q. The bottom paragraph indicates the
9 armature voltage feedback daughter board, and
10 then it talks about the different daughter
11 boards, correct?

12 A. Correct.

13 Q. And this is where there's the
14 distinction between the M55 and the M59, correct?

15 A. Correct.

16 Q. Does the distinction between the M55 and
17 the M59 have anything to do with the cause of
18 this accident?

19 A. No.

20 Q. And then on the first full paragraph, on
21 your second page, it indicates: Standard
22 operating procedures would dictate that when
23 replacing any electronic component, the
24 authorized technician should check all switches,
25 jumpers, and links for correct position, correct?

1 A. Correct.

2 Q. Are there any other switches other than
3 the switch on the daughter card at the Proma
4 facility?

5 A. I think so, but I can't say for sure. I
6 think the drive itself has another switch that is
7 very similar to this one.

8 Q. The Infranor drive board?

9 A. The big board, yes.

10 Q. And that's not the torque or speed
11 control switch?

12 A. No.

13 Q. What are jumpers?

14 A. Well, in other types of electronics,
15 electronic components sometimes will have like
16 little wire jumpers, they look almost like a
17 staple, that you configure the board for whatever
18 it is, for addressing, or for whatever reason,
19 with these little jumpers.

20 Q. And are there jumpers on the Infranor
21 drive boards that were in the Atlas slitter as of
22 March of 2002?

23 A. Not that I know of.

24 Q. And what about links, what are links?

25 A. Same as jumpers.

1 Q. Oh, okay.

2 A. US, we call them jumpers. UK calls them
3 links.

4 Q. So when you say standard operating
5 procedures is to check the switches, jumpers, and
6 links, that doesn't mean particularly to this
7 Infranor drive board, correct?

8 A. No, this is a general, for anything
9 electronic.

10 Q. And the standard operating procedures,
11 is that a written procedure?

12 A. No.

13 Q. You indicated earlier that the arms
14 lifted up prior to the core being ejected,
15 correct?

16 A. Correct.

17 Q. Were you able to determine the cause of
18 the arms lifting up?

19 A. No.

20 Q. If the speed control switch had been set
21 correctly, would the arms have lifted up?

22 A. No, the two are not related at all.

23 Q. If the speed control switch had been set
24 properly, though, would the core have been
25 ejected?

1 A. No.

2 Q. Because I'm correct that the core was
3 ejected because the speed control switch was set
4 inappropriately or incorrectly, correct?

5 A. That, and the combination of the arms
6 lifting off the winding drum.

7 Q. But I'm just trying to decide, the arms
8 lifting off the winding drum, were you ever able
9 to figure out the cause of that?

10 A. No, we never saw it again, couldn't make
11 it happen again.

12 Q. And if the speed control switch had been
13 set correctly, the fact that the arms lifted up
14 would not have caused the core to eject, correct?

15 A. Correct.

16 Q. Were you able to verify that the machine
17 had reset from the job prior to Mr. Pucillo's
18 job?

19 A. When I got there, it appeared that
20 everything had reset to be ready for the next
21 order.

22 Q. So were you able to eliminate that as a
23 cause of this accident?

24 A. Right.

25 Q. Were you able to determine the precise